



CANNON BUILDING
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**STATE OF DELAWARE
BOARD OF ARCHITECTS**

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, October 4, 2017 at 1:30 p.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	November 1, 2017

MEMBERS PRESENT

Paul Guggenberger, Professional Member, President
Daniel Ridgely, Professional Member, Secretary
Robert Maffia, Professional Member
Bryan Hutchison, Professional Member
Rosemarie Vanderhoogt, Public Member
Todd Breck, Professional Member (arrived at 1:34 p.m.)

MEMBERS ABSENT

Richard Senato, Public Member
Phillip Winder, Public Member
Teresa Wilson, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Jennifer Witte, Administrative Specialist II

OTHERS PRESENT

Nancy Payne
Peter Pagani
Scott Sambuco
Donald Smith

CALL TO ORDER

Mr. Guggenberger called the meeting to order at 1:34 p.m.

REVIEW OF MINUTES

A motion was made by Mr. Maffia, seconded by Mr. Hutchison, to approve the minutes from the September 6, 2017 meeting as amended. The motion was unanimously carried.

UNFINISHED BUSINESS

Sign Final Orders

The Board signed the final orders from Hearing Officer Recommendations reviewed at the September 6, 2017 meeting for Thomas Edson, David Dalby, Daniel Simon, Mark D'Alonzo, Ronald Hastings, Tom Sachs, Jed Gibson, Julie Kirsch, Barry Belt, Maryann Marotta, Robert Pagenkemper, Mark Lionberger, George Steinrock and Keith Iott.

NEW BUSINESS

Review Reciprocity Applications – NCARB Certificates

After review, a motion was made by Mr. Guggenberger, seconded by Ms. Vanderhoogt, to approve the architect application of Eric Walker. The motion was unanimously carried.

Ratify Reciprocity Applications – NCARB Certificate

A motion was made by Mr. Breck, seconded by Ms. Vanderhoogt, to approved the ratified architect applications of Sylvia Deye, James Bray, Todd Enoki and Gregory Ninow. The motion was unanimously carried.

Review and Consider Recommendations of the Chief Hearing Officer

Due to the attendance of licensees and legal counsel, Mr. Guggenberger modified the agenda to first review the Hearing Officer Recommendations for those present.

Scott Sambuco, #S5-0006301

Mr. Sambuco was present for the review of his recommendation. He addressed the Board by stating that he does not deny that he was deficient. He completes a lot of continuing education for all of the licenses that he holds and now that he is aware of the requirement for Delaware, the deficiency will not occur again. He asked for leniency on the monetary fine.

After review, a motion was made by Mr. Guggenberger, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a reduction of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was carried by Mr. Ridgely, Mr. Hutchison and Mr. Breck. Mr. Maffia opposed.

Peter Pagani, #S5-0007638

Mr. Pagani was present for the review of his recommendation. He addressed the Board by stating that he has located several courses that he completed that he did not have the proof of during his hearing and has completed the deficient hours that were noted in the recommendation which he has provided a copy to the Board. In closing, Mr. Pagani added that he misread the rules and regulations and asked the Board for leniency on the monetary fine imposed.

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a correction to the number of hours deficient to sixteen, a reduction of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Donald Smith, #S5-0003072

Mr. Smith was present for the review of his recommendation. He addressed the Board by first stating that he had no exceptions to the recommendation and felt that the monetary fine recommended was excessive.

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a reduction of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Charles Matsinger, #S5-0005127

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an issuance of a Letter of Reprimand and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Dan Winter, #S5-0006633

After review, a motion was made by Mr. Ridgley, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of 90days to complete the make-up hours and pay the monetary fine and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Frederic Baker, #S5-0005155

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

It was noted that per the recommendation, Mr. Baker is already deficient year 2016 for the upcoming renewal period.

Michael Curd, #S5-0007337

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, the deletion of #3 and #4 regarding proof of 24 hours completed in 2016-2018, an increase of the monetary fine to \$2500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Jef Stockdale, #S5-0007342

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a reduction of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

R. Mitchell Shiles, #S5-0005679

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a decrease of the monetary fine to \$1000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Robert Fox, #S5-0007605

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, striking the immediate suspension, 90 days to complete 13 make-up CE's and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Edward Benovengo, Jr., #S5-0006843

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a strike of the immediate suspension, decrease of the monetary fine to \$1000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Charles Consagra, #S5-0005766

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, 4 make-up hours to be completed and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

John Bamberger, #S5-0007628

After review, a motion was made by Mr. Guggenberger, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of the monetary fine to \$2500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Harold Judefind, Jr., #S5-0002083

No discipline will be imposed as this licensee has passed away.

Perry Willis, #S5-0005704

After review, a motion was made by Mr. Hutchison, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and

an immediate suspension should compliance to the discipline imposed not be achieved. The motion was carried by Mr. Ridgely, Mr. Maffia and Mr. Breck. Mr. Guggenberger recused himself.

CORRESPONDENCE

The Board received correspondence from John Burzynski, a current licensee, requesting a hardship extension on the completion of the continuing education requirement. After a review, a motion was made by Mr. Maffia, seconded by Mr. Hutchison, to grant the extension and omit Mr. Burzynski from the 2016-2018 post-renewal auditees.

OTHER BUSINESS BEFORE THE BOARD

Mr. Breck advised that he met with the JAC to resolve the modifications that the Board suggested for the Handbook mid-2016. Mr. Maffia suggested that this discussion be added to the agenda for the November meeting.

The Board had a brief discussion on setting limits on the timeframes for make-up continuing education hours as part of disciplinary action and will continue to discuss at the November meeting.

Mr. Maffia asked that the Board discuss at the November meeting setting a threshold for monetary fines as a result of disciplinary action.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be November 1, 2017 at 1:30 p.m. in Conference Room B.

ADJOURNMENT

There being no further business, a motion was made by Ms. Vanderhoogt, seconded by Mr. Ridgely, to adjourn the meeting at 3:04 p.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II